



# The Sexual Citizen

Queer [redacted] Beyond

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DAVID BELL AND JON BINNIE

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Queer Politics and Beyond

David Bell and Jon Binnie

Polity

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First published in 2000 by Polity Press in association with Blackwell Publishers Ltd

*Editorial office:*

Polity Press  
65 Bridge Street  
Cambridge CB2 1UR, UK

*Marketing and production:*

Blackwell Publishers Ltd  
108 Cowley Road  
Oxford OX4 1JF, UK

*Published in the USA by*

Blackwell Publishers Inc.  
Commerce Place  
350 Main Street  
Malden, MA 02148, USA

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Library of Congress Cataloging-in-Publication Data

Bell, David.

The sexual citizen : queer theory and beyond / David Bell and Jon Binnie.  
p. cm.

Includes bibliographical references and index.

ISBN 0-7456-1653-4—ISBN 0-7456-1654-2 (pbk.)

1. Homosexuality—Political aspects. 2. Lesbianism—Political aspects. 3. Sex role—Political aspects. 4. Gender identity—Political aspects. 5. Citizenship. I. Binnie, Jon. II. Title.

HQ76.25.B45 2000  
306.76'6—dc21

00-039971

A catalogue record for this book is available from the British Library.

Typeset in 11 on 13 pt Photina

by Kolam Information Services Private Limited, Pondicherry, India

Printed in Great Britain by MPG Books Ltd, Bodmin, Cornwall

This book is printed on acid-free paper.

# **The Sexual Citizen**

# Acknowledgements

We should like to thank the following people for their help, support and encouragement during the writing of this book: Jo Eadie, Ruth Holliday, Kath Moonan, Bev Skeggs. At Polity Press, Rebecca Harkin has been a supportive and patient editor, and we thank her too as well as Sue Leigh who saw us through the final stages.

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# 1

## Sexing Citizenship

The time has come to think about queering the state.

Lisa Duggan, 'Queering the state'

Something strange has happened to citizenship.

Lauren Berlant, *The Queen of America Goes to Washington City*

The re-emergence of questions of citizenship in the UK and the USA in the 1980s, and subsequent political and academic debates around those questions, form a useful backdrop for thinking about the changing forms and uses of sexual politics. In this book, we seek to explore some aspects of what has come to be called *sexual citizenship*, located against that backdrop but also moving beyond it. By focusing on particular facets of sexual citizenship – the role of the market, the city as a site of citizenship, the place of notions of love, family and the social, the globalization of sexual identities and politics – we attempt to broaden the terms of the debate, as well as offering an assessment of the usefulness of continuing to view sexualities through the lens of citizenship. After two decades of debate – not just in the academy, but in law courts and state offices, and on the streets – we feel that the time has come to reflect on the question of sexual citizenship; to ask, *was it worth it?* What have we learnt from the debates, where are we now, where do we go from here?

The task of thinking about sexual citizenship, in fact, is one that has attracted considerable interest among academics and activists. As the notion of citizenship re-entered political, academic and

popular discourses in the 1980s – spurred on, in the UK, by the Conservative administration's notions of active citizenship, of a Citizen's Charter, and of emphasizing the flipside of the equation of citizenship (rights *always* come with responsibilities), as well as by a brief flurry of excitement over communitarianism – so it entered the register of sexual politics. With its mobile combinations of the political, the economic, the social, the legal and the ethical, citizenship seemed to be a neat concept for articulating (and agitating) the field of sexual politics generally.

It is the purpose of this introductory chapter to establish the terrain for the argument that runs through *The Sexual Citizen*. There are a lot of issues to deal with, in terms of laying out the current articulations of the notion of citizenship, as well as sketching the current climate of sexual politics. We can then intertwine these two threads by looking at the figure of the sexual citizen: who is he or she, and how does he or she enact sexual citizenship? What projects is the sexual citizen engaged in? Inevitably, such questions call for definitions, and for the telling of a number of stories – political stories, sexual stories, economic stories, social and cultural stories. To understand the sexual citizen, then, we need to understand the conditions that give rise to the possibility (even, we might argue, the necessity) of such a figure. That is the prime directive of this chapter, for it frames the subsequent discussions of the book. Before that, however, it is important to establish the logic of the trajectory that *The Sexual Citizen* takes in order to explore these questions. If we sketch our argument here, we can then begin the task of unpacking it, of laying out the terms and conditions that will engage us through the remaining chapters.

Our story of sexual citizenship is an ambivalent one. While we recognize the political potency of mobilizing (maybe even colonizing) the notion of citizenship with an agenda of sexual politics, we are concerned with the limitations as well as the opportunities this strategy affords. In order to make this ambivalence manifest, we have chosen to settle on key sites of the sexual citizenship debate; sites that we hope will illustrate precisely that tension between opportunity and limitation. For us, many of the current nodes of the political articulation of sexual citizenship are marked by compromise; this is inherent in the very notion itself, as we have already noted: the twinning of rights with responsibilities in the logic of



citizenship is another way of expressing compromise – *we will grant you certain rights if (and only if) you match these by taking on certain responsibilities*. Every entitlement is freighted with a duty. In our reading of sexual politics, rights claims articulated through appeals to citizenship carry the burden of compromise in particular ways; this demands the circumscription of ‘acceptable’ modes of being a sexual citizen. This is, of course, an age-old compromise that sexual dissidents have long had to negotiate; the current problem is its cementing into rights-based political strategies, which forecloses or denies aspects of sexuality written off as ‘unacceptable’. In particular, given the current political climate, this tends to demand a modality of sexual citizenship that is privatized, deradicalized, de-eroticized and *confined* in all senses of the word: kept in place, policed, limited. Jeffrey Weeks (1999, p. 37) argues that the ‘moment of citizenship’ represents the only way that ‘difference can [ever] find a proper home’ – we think that is an especially telling phrase: who defines what a ‘proper home’ is for sexual citizens? What happens to those who refuse to be confined to ‘home’, or to living in the ‘proper’ way? We will return to Weeks’ argument later in this chapter, since it represents a particular take on sexual citizenship that we must engage with.

In order to explore the project of sexual citizenship, we have chosen to focus on a number of different domains. While these are not meant to be exhaustive, we think that each serves to illustrate the workings of the debate around sexual citizenship in particularly illuminating ways. In chapter 3, for example, our focus is on two key articulations of sexual-citizenship rights: the claiming of the right to ‘marriage’ and the claiming of the right to join the armed forces. The shape of these rights claims gives us an insight into the mechanisms that frame sexual citizenship in the field of law and politics; moreover, the logic which gives that frame its intelligibility and legitimacy as the basis for demanding equality of citizenship opens up the questions that lie at the heart of this book: what form are claims for sexual citizenship made to take in the legal-political context of late-modern liberal democracies? What agendas are forged in such rights claims? And how are those agendas negotiated in the spaces of law and politics?

The introduction of space into our discussion is, in fact, crucial. As Engin Isin and Patricia Wood (1999, p. viii) note in their recent

book *Citizenship and Identity*, arguments about citizenship must include a 'recognition of the relevance of space, that is, the locations from which people exercise their citizenship rights'. This notion informs a number of the domains we discuss in *The Sexual Citizen*: we consider the space of the social, the space of the city and transnational space as different locations from which people exercise their (sexual) citizenship rights. Each is, in its own way, a space of sexual citizenship. In the case of the social, for example, we have to consider the field of social action as one in which the enunciation of sexual identity-positions occurs, but also as a space in which the limitations of those identity-positions are especially manifest. Similarly, we want to explore arguments about the relationship between sexual identity (and especially homosexual identity) and urban space: if the city is the stage on which homosexuality is enacted, what are the implications for sexual citizenship of current reshaping of the urban environment, driven by political imperatives often inflected by a distinct agenda? Sometimes this involves the marketing of cities as democratic sites of diversity and difference, while in other contexts it involves the 'cleaning up' of a city's image through red-lining sexual subcultures into marginal spaces, producing what is effectively a moral topography of sexual citizenship – gentrified housing is good, spaces of consumption are okay, but sites of public sex, sex work and pornography are bad.

Further, given the historical equation of citizenship with the public sphere, the reprivatization of public space in the contemporary city has severe repercussions for sexual citizens. In fact, the public/private divide is perhaps the most fundamental spatiality of sexual citizenship, articulated in diverse ways throughout this book. Jeffrey Weeks (1999, p. 37) again marks this vector of sexual citizenship ambivalently: 'The sexual citizen... makes a claim to transcend the limits of the personal sphere by going public, but the going public is, in a necessary but nevertheless paradoxical move, about protecting the possibilities of private life and private choice in a more inclusive society.' The outcome of rights claims, then, is to secure *private* space to be a sexual citizen; while this might involve an intervention into the public sphere (what Weeks names 'the moment of transgression'), this is merely a tactic to enable the claim to privacy – the 'proper home' of the sexual citizen. From our perspective, such a programme is intensely problematic, not

least because it sides with phobic arguments that grant sexual rights only on the understanding that they will be kept private: that is, invisible (Cooper, 1993a). While there is a need to protect some notion of privacy – if that means defining a space where law cannot intervene, for example – there is a bigger risk to be taken in stressing the private as the proper home of sexual citizenship (Bell, 1995a, 1995b). Part of that risk, which is also manifest in the agitations for the legalization of lesbian and gay ‘marriage’, is that it restates the family as the private site of citizenship. In current sexual rights claims, the struggle to define ‘families we choose’ bears the mark of this privatization impulse, as if the retreat into family-space is a necessary strategy for claiming citizen status – something that closes down ways of living and loving that don’t accord with the model of the family, no matter how it is expanded. In fact, the motif of family returns again and again in our analysis, reflecting Elspeth Probyn’s (1998, p. 170) assertion that ‘the widespread familialization of the social and the currency of the familial citizen is rearranging the very contours of the social surface. It is thus crucial that we carefully study the mutations of the lines that are composing the familial citizen’ – one of the most significant mutations being the shifting balance between public and private spheres. Sexual citizenship performs an uneasy negotiation of the public/private split, then – something that we shall return to throughout *The Sexual Citizen*.

At a different scale, we must also consider the transnational spaces of sexual citizenship. Here, in the wake of globalization’s disjunctive flows of people, ideas and images (Appadurai, 1996), we are faced with a radical transformation in the logics of citizenship, traditionally predicated on a sense of belonging rooted in the nation-state (Stychin, 1998). Instances in the politics of transnational sexual citizenship, such as the ‘Europeanization’ of human rights law, the regulation of immigration policies or the globalizing of sexual identities, ask that we re-evaluate the boundaries of sexual citizenship and rights claims in recognition of the changing shape of the world.

Aside from these scales of sexual citizenship, there are other transformations that have profoundly impacted on how and where the sexual citizen is constituted as a culturally legible figure. In the current debates on citizenship more broadly, one dimension

that has attracted close scrutiny is the role of the market in recasting the working of citizenship. In the politics of the UK's Citizen's Charter and the rhetoric of active citizenship – which, despite its new right origins, lingers on in centre-left discourses – there is an inevitable marketization of rights; the citizen is made over as a particular kind of sovereign consumer, who has the right to choose and 'buy' access to aspects of collective consumption provided traditionally by the state (welfare, health care, education). As we have already noted, the market has indeed created new spaces of sexual citizenship, in the form of visible spaces of consumption – so-called gay villages. This introduces us to an argument that has been central to certain trajectories of rights agitation in the domain of lesbian and gay politics in recent years: that the commercial presence and power of gay men and lesbians – short-handed as the 'pink economy' – makes a strong foundation on which to base rights claims, given the marketized logic that links economic power to political power. Consumer citizens voice their politics through their spending, and can therefore make rights claims as *consumers* (Gabriel and Lang, 1995). There are very real dangers in this argument, however, not least that the myth of the pink economy serves to deny both economic inequalities between sexual citizens and the economic limitations (in terms, for example, of employment opportunities) that act as a further limit on the enactment of sexual citizenship. The orientation of the sexual citizen to the seductions and dangers of the market marks another key ambivalence, which we explore in more detail in chapter 6.

What we have been trying to do so far, then, is to move towards a moment of defining sexual citizenship. We have sketched some of the sites where the sexual citizen appears in various guises, but we have yet to tackle head-on the question of definition. In order to move closer to that moment, we need to begin with the notion of citizenship itself, in order to survey the discourses within which sexual citizenship gets articulated.

### *Thinking and rethinking citizenship*

We do not propose to provide here a thoroughgoing analysis of theoretical material on citizenship, since there seems little merit in

retreading ground already compacted by the feet of so many before us; we'd rather cut to the chase. We do, however, want to offer some pointers, some snapshots of the ways in which citizenship has been approached as a useful and usable political discourse or thematic. We offer little more, then, than a reading list of citizenship texts and authors, since our concern is more squarely with the workings of the logic of citizenship in the particular context of sexual identities and politics.

The particular starting point for understandings of the modern condition of citizenship is the work of T. H. Marshall, especially his 1950 essay *Citizenship and Social Class* (reprinted 1973). Revisions, critiques and extensions of Marshall's theorizing have filled many pages (e.g. Turner, 1990, 1993). The civic liberalist tradition in citizenship theory is most closely aligned to Marshall, with its analysis of the state's paternal role in securing the welfare and rights of its citizens, as well as binding citizens together in sociality. The second major strand of 'modern' citizenship thinking, civic republicanism (in which we can include communitarianism), places more stress on obligation, often mediated through political participation in common affairs. The nation-state is placed centre-stage in civic republicanist conceptions of citizenship, as is national identity. The contemporary citizenship debate has, however, moved a long way beyond Marshall, thanks mainly to feminist and post-structuralist rereadings of the terms and conditions of being a citizen, which place stress on questions of *difference* (Mouffe, 1993; Phillips, 1993; Young, 1989). Simultaneously, the question of *where* one is a citizen of has been necessarily addressed in the wake of transnational and global forms of both politics and belonging (Isin and Wood, 1999).

Pluralist, feminist and poststructuralist takes on citizenship have become fashionable in the academy, chiming as they do with the reinvention of politics under postmodernity (Yeatman, 1994). Most commentators assert that there is something within the notion of citizenship that can further a radical democratic project, despite recuperation by new right politicians – mobilized in the UK, for example, around the figure of the active citizen and in the drafting of a Citizen's Charter (Cooper, 1993b; Kearns, 1992; Ignatieff, 1991), and in the USA through neoconservative discourses around welfare and the family (Roche, 1992). By adding in insights from

poststructuralist theory – most notably those that concern the ‘decentring’ of the subject, and which therefore raise questions about *identity* itself – such approaches seek to complicate (and simultaneously re-energize) the figure of the citizen and its relation to forms of identity politics. As Anne Phillips (1993, p. 87) writes: [t]he value of citizenship lies in the way it restates the importance of political activity... [T]his might prove itself as a way of dealing with the politics of an extraordinary time.’ Reflecting the poststructuralist perspective, this ‘extraordinary time’ is described in Paul Clarke’s *Deep Citizenship* (1996, p. 116) as one of transformation: ‘the world into which we are moving is fractured in multiple ways,...its meta-narratives have collapsed,...its old ideologies have fallen into disrepute and ... its old certainties have been transformed into new uncertainties’.

That sense of fragmentation, of new uncertainties, certainly provides one of the motor mechanisms for restating citizenship in political discourse. It also affords the opportunity to radically rethink what being a citizen is all about; shifting the boundaries, then, of a particular form of political identity. Such a shift has been widely remarked upon. Anthony Giddens, for example, talks of a move towards ‘life politics’ in *Modernity and Self-Identity* (1991). Important political movements in the West – feminism, civil rights, gay liberation, student protests, new social movements, ‘body politics’ – can be taken to indicate this transition, especially when coupled with Giddens’ assertion of the increasing reflexivity of (post)modern life. Traces of this shift can be noted in poststructuralist readings of citizenship, and in related rewritings, such as Paul Clarke’s work on ‘deep citizenship’. Clarke (1996, p. 118) writes that ‘the practice of the virtues and the development of deep citizenship cannot be separated from the development of selfhood’; indeed, deep citizenship brings together ‘care of the self, care of others and care of the world’. Crucially for Clarke, ‘[t]o be a deep citizen is to determine for oneself that an action is political’ (p. 125) – reflexive life politics, then.

Nick Ellison (1997, p. 711), however, offers a somewhat different conception of the condition he names ‘reflexive citizenship’. For Ellison, reflexivity means ‘the general process, driven by social, political and economic change, by which social actors, confronted with the erosion, or transformation, of established patterns of



belonging, readjust existing notions of rights and membership to new conceptions of identity, solidarity and the institutional foci of redress'. Ellison disputes Giddens' focus on individualization and voluntarism, however, asserting citizenship as a *defensive* strategy – a way of trying to retain a sense of integration in an increasingly complex world. Ellison offers a cautious, indeed at times pessimistic, reading of the reflexive turn, since the ability to mobilize reflexive citizenship is not equally distributed in society, suggesting that some marginalized groups are effectively denied the right to act politically as citizens, and may have no choice but to elect for disengagement instead, thereby ushering in a revival of the 'classical' notion of citizenship as a marker of social and political privilege. Whether or not we are to side with Ellison's cautionary tale, or subscribe instead to Giddens' upbeat mode of reflexive life politics, it remains clear that the very notion of citizenship, while endlessly deconstructed and reconstructed, serves as a useful device for thinking about forms of political action and political identity. We shall revisit this aspect of the rewriting of citizenship later, in the context of attempts to put Giddens' thesis to use in arguments about the sexual citizen.

Ellison's assessment raises an important question, then, about how citizens are engaged in politics – and about what we mean by *the politics of citizenship* itself. A useful critical summary of the roles available to citizens in the current polity is offered by Holloway Sparks (1997), in an essay on 'dissident citizenship'. Sparks argues that the political role of citizens within current citizenship theory is both limited and limiting, and suggests the need to expand our conception of citizenship to incorporate dissent. She argues that dissent has 'fallen through the cracks of much mainstream citizenship theory', which has instead focused on attempts to secure rights within the public sphere of advanced capitalist market societies (p.77). This theorization advances a model of 'participatory democracy', Sparks argues, that sidelines dissent as a political practice. The roles for citizens within participatory democracy cannot always accommodate such dissident modes of politics, which Sparks defines as 'the public contestation of prevailing arrangements of power by marginalized citizens through oppositional, democratic, noninstitutionalized practices that augment or replace institutionalized channels of democratic opposition when those channels are inadequate or unavailable' (p. 83).

Sparks makes use of Nancy Fraser's notion of 'subaltern counter-publics' in her theorization of dissident citizenship. Such spaces are defined by Fraser (1992, p. 123) as 'parallel discursive areas where members of subordinate groups invent and circulate counterdiscourses to formulate oppositional interpretations of their identities, interests, and needs'. Importantly, Sparks concludes that her revisioning of citizenship is valuable in that it suggests we must acknowledge that dissident politics is still the *politics of citizens*, as well as broadening our definition of where politics takes place. That these concepts have clear resonances with the kinds of politics mobilized by *sexual* dissidents will become clear later. With this in mind, we shall now turn our attention to attempts to mobilize the concept of citizenship specifically within the context of sexuality, offering a brief but critical reading of a number of key texts.

### *Sexing citizenship*

Central to our thinking, as will become clear, is the notion that *all citizenship is sexual citizenship*, in that the foundational tenets of being a citizen are all inflected by sexualities. Indeed, many of the ways in which citizenship discourses operate can be read as discourses around the 'sexing' of citizens – for example, the centring of notions of the family obviously draws on sexualized constructions of appropriate (and inappropriate) modes of living together and caring for one another. Feminist critiques of the gendered assumptions inherent in the very term 'family' can therefore be supplemented by, for example, interrogating the assumptions contained in the rhetoric of the British new right around 'pretended families' (Weeks, 1991). Similarly, as we shall see, the bonds of citizenship are in a sense bonds of love – Clarke's call for 'care of the self, care of others and care of the world' speaks to this kind of citizen-love. But, as Freud (1921) argued, this happy, cohesive homosociality relies on the denial or prohibition of the homosexual, whose eroticizing of the social bond threatens its collapse. Contemporary moments in the reinscription of modes of citizenship – the military exclusion policy, for example – illustrate the continued policing of these institutionalized homosocial/homosexual boundaries. Further,



'family' and 'love' are brought together in questions of marriage; as we shall see in chapter 3, appeals for legislative change around same-sex marriage also bring to the surface issues of sexual citizenship – of rights, of duties, of politics and of identities.

The question of thinking sexual citizenship can be (and indeed has been) approached from many different perspectives. Work in legal theory, in political theory, in sociology and beyond evidences the manysidedness of citizenship. Is 'citizen' a legal category, a political category or a sociological category? The simple answer is that it is all of these – and many other things, too. Again, we do not propose here a comprehensive list of texts where the concept of sexual citizenship is constructed (or critiqued). We offer instead a meditation on selected texts that approach the question in distinct ways, with different agendas and perspectives. Some of these texts we have previously turned our critical attentions to (Bell, 1997; Binnie, 1998), while in subsequent chapters we further engage with the question of sexual citizenship through a reading of select current debates and incidents. Setting a broad agenda for considering sexual citizenship, Steven Seidman writes:

Citizenship rights make it possible for individuals to protect themselves against social threat, to participate in public decision-making, to make claims about national policy and culture, and so on. At stake is how the lesbian and gay movement approach [sic] questions of citizenship. Contestation should be over the basis of citizenship and the meaning of sexual and intimate citizenship. In short, we need a queer articulation of democratic theory. (1998, p. 189)

We shall begin to attend to this agenda not at the beginning (if indeed such a thing could be located), but with a text that nonetheless bills itself on its jacket as 'the first book to approach sexuality from the perspective of citizenship' – David Evans' *Sexual Citizenship* (1993). Evans' principal concern is with what he calls the 'material construction' of sexual citizenship, and to theorize this he explores in detail the interplay of the state and the market. Reading citizenship under capitalism as the mediation of these two spheres leads Evans to consider the commodification of sexuality; his foregrounding of a notion of 'consumer citizenship' is a consequence of the political climate in the UK at the time he was